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## REMARKS

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Applicants assert that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

## Status of Claims

Claims 1-22 are pending in the application. Claims 1-22 have been rejected. Claims 1, 3-11, and 13-22 have been amended.

Claims 3-11, 14-18, and 20-22 have been voluntarily amended for clarification only. These amendments do not narrow the scope of the claims, nor are they being made for reasons of patentability. The amended claims are not subject to the complete bar against the use of the doctrine of equivalents as outlined in *Festo Corp. v. Shoketsu Kinsoku Kogyo Kapushiki Co., Ltd. a/ka/ SMC Corp. and SMt Pneumatics, Inc.*, as the amendments do not narrow the scope of the claims, nor are they being made for reasons of patentability.

Applicants respectfully assert that the amendments to the claims add no new matter.

## CLAIM REJECTIONS

### 35 U.S.C. § 103 Rejections

In the Office Action, the Examiner rejected claims 1-22 under 35 U.S.C. § 103(a), as being unpatentable over Dilick (US 6286998B1) in view of Herynek *et al.* (US 2004/0011305A1).

Applicants respectfully traverse the rejection of claims 1-22 under Dilick in view of Herynek *et al.*

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Applicants assert that neither Dilick nor Herynek *et al.*, alone or in combination, teach or suggest, "a controller for controlling operation of the x-ray tube in response to the sensed flow rate" as claimed in amended independent claim 1. Nor do Dilick or Herynek *et al.*, alone or in combination, teach or suggest, "controlling operation of the x-ray tube in response to the determined flow rate" as claimed in amended independent claim 13. Nor do Dilick or Herynek *et al.*, alone or in combination, teach or suggest, "a controller responsive to the determined pressure difference for controlling operation of the x-ray tube" as claimed in amended independent claim 19. It would not be obvious to include "controlling operation of the x-ray tube" in the methods and apparatus described by Dilick.

Dilick purportedly describes methods and apparatus for treatment of electrically insulating oil in order to preserve the electrical insulation properties of the oil. The treatment includes circulating the oil through a chamber or element in which components of the oil that adversely effect its electrical insulation properties, such as gas or water, are removed from the oil. Dilick does not refer to a cooling function of the oil. In the methods and apparatus described by Dilick, there would be no motivation to monitor the flow rate of the oil by means of the method described by Herynek *et al.*, since the flow rate of the oil is not relevant to its electrical insulation properties. There would also be no motivation to "control operation of the x-ray tube" in response to the flow rate or pressure difference, as recited in amended independent claims 1, 13 and 19. Thus, neither Dilick nor Herynek *et al.*, alone or in combination, teach or suggest the invention of amended claims 1, 13 and 19.

An obviousness rejection requires a teaching or a suggestion by the relied upon prior art of all the elements of a claim (M.P.E.P. §2142). Since Dilick or Herynek *et al.*, alone or in combination, do not teach or suggest all the elements of any of amended independent claims 1, 13 and 19, the Examiner fails to establish a *prima facie* showing that Dilick or Herynek *et al.*, alone or in combination, teach or suggest every feature of claims 1, 13 and 19.

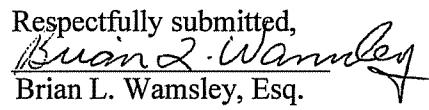
Accordingly, Applicants respectfully assert that amended independent claims 1, 13 and 19 are allowable. Claims 2-12, 14-18 and 20-22 depend, directly or indirectly, from claims 1, 13 and 19, and therefore include all the limitations of those claims. Therefore, for at least the reasons that claims 1, 13 and 19 are allowable, Applicants respectfully assert that claims 2-12, 14-18 and 20-22 are likewise allowable. Accordingly, Applicants respectfully

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request that the Examiner withdraw the rejections to amended independent claims 1, 13 and 19 and to claims 2-12, 14-18 and 20-22 dependent thereon.

In view of the foregoing amendments and remarks, the pending claims are deemed to be allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Respectfully submitted,  
  
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